

was added as a cosponsor of Senate Resolution 151, a resolution to designate May 14, 1996, and May 14, 1997, as "National Speak No Evil Day," and for other purposes.

SENATE RESOLUTION 259—RELATIVE TO THE SECRETARY OF AGRICULTURE

Mr. BINGAMAN (for himself, Mr. LEAHY, Mr. DOMENICI, Mr. DASCHLE, and Mr. PRESSLER) submitted the following resolution; which was considered and agreed to:

S. RES. 259

Resolved,

SECTION 1. USE OF DISASTER RESERVE FOR DISASTER ASSISTANCE.

It is the sense of the Senate that the Secretary of Agriculture should use the disaster reserve established under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a) to alleviate distress to livestock producers caused by drought, flood, or other natural disasters in 1996, in the most efficient manner practicable, including cash payments from the sale of commodities currently in the disaster reserve. A livestock producer should be eligible to receive the assistance during the period beginning May 1, 1996, and ending not sooner than August 31, 1996.

SEC. 2. VOLUNTARY CONSERVATION ASSISTANCE.

It is the sense of the Senate that the Secretary of Agriculture should use the authorities provided in the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127) to provide voluntary conservation assistance to any person who is permitted to hay or graze conservation reserve land on an emergency basis.

SENATE RESOLUTION 260—RELATIVE TO LIVESTOCK PRODUCERS

Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. GRAMM, Mrs. HUTCHISON, and Mr. PRESSLER) submitted the following resolution; which was considered and agreed to:

S. RES. 260

Resolved,

SECTION 1. SPECIAL CONSIDERATION FOR DISASTER ASSISTANCE.

It is the sense of the Senate that livestock producers who do not qualify for emergency livestock feed assistance for the 1996 crop year, but have incurred feed losses in 1996 due to drought, flooding, or other natural disasters, should receive special consideration for assistance from commodities or the sale of commodities currently available in the disaster reserve established under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a). A livestock producer should be eligible to receive the assistance during the period beginning May 1, 1996, and ending not sooner than August 31, 1996.

SENATE RESOLUTION 261—RELATIVE TO THE SECRETARY OF AGRICULTURE

Mr. GRAMM (for himself, Mrs. HUTCHISON, Mr. DOMENICI, and Mr. PRESSLER) submitted the following resolution; which was considered and agreed to:

S. RES. 261

Resolved,

SECTION 1. ELIGIBILITY FOR EMERGENCY LIVESTOCK FEED ASSISTANCE.

It is the sense of the Senate that, as part of the orderly termination of the emergency livestock feed assistance program established under title VI of the Agricultural Act of 1949 (7 U.S.C. 1471 et seq.), livestock producers who were eligible for emergency livestock feed assistance for the 1995 crop year, but were unable to apply for the assistance for the 1996 crop year, and who have suffered a qualifying loss as determined by the Secretary, should be eligible to receive assistance under the program through at least August 31, 1996.

AMENDMENTS SUBMITTED

THE ADMINISTRATIVE DISPUTE RESOLUTION ACT OF 1996

LEVIN (AND GRASSLEY) AMENDMENT NO. 4045

Mr. LOTT (for Mr. LEVIN, for himself and Mr. GRASSLEY) proposed an amendment to the bill (S. 1224) to amend subchapter IV of chapter 5 of title 5, United States Code relating to alternative means of dispute resolution in the administrative process, and for other purposes; as follows:

At the end of the bill, add the following new section:

SEC. 11. REAUTHORIZATION OF NEGOTIATED RULEMAKING ACT OF 1990.

(a) PERMANENT REAUTHORIZATION.—Section 5 of the Negotiated Rulemaking Act of 1990 (Public Law 101-648; 5 U.S.C. 561 note) is repealed.

(b) CLOSURE OF ADMINISTRATIVE CONFERENCE.—

(1) IN GENERAL.—Section 569 of title 5, United States Code, is amended—

(A) by amending the section heading to read as follows:

"§ 569. Encouraging negotiated rulemaking";

and

(B) by striking out subsections (a) through (g) and inserting in lieu thereof the following:

"(a) The President shall designate an agency or designate or establish an interagency committee to facilitate and encourage agency use of negotiated rulemaking. An agency that is considering, planning or conducting a negotiated rulemaking may consult with such agency or committee for information and assistance.

(b) To carry out the purposes of this subchapter, an agency planning or conducting a negotiated rulemaking may accept, hold, administer, and utilize gifts, devises, and bequests of property, both real and personal, provided that agency acceptance and use of such gifts, devises or bequests do not create a conflict of interest. Gifts and bequests of money and proceeds from sales of other property received as gifts, devises, or bequests shall be deposited in the Treasury and shall be disbursed upon the order of the head of such agency. Property accepted pursuant to this section, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gifts, devises, or bequests. For purposes of Federal income, estate, or gift taxes, property accepted under this section shall be considered as a gift, devise, or bequest to the United States."

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by striking out the item relating to section 569 and inserting in lieu thereof the following:

"569. Encouraging negotiated rulemaking."

(c) EXPEDITED HIRING OF CONVENORS AND FACILITATORS.—

(1) DEFENSE AGENCY CONTRACTS.—Section 2304(c)(3)(C) of title 10, United States Code, is amended by inserting "or negotiated rulemaking" after "alternative dispute resolution."

(2) FEDERAL CONTRACTS.—Section 303(c)(3)(C) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(3)(C)), is amended by inserting "or negotiated rulemaking" after "alternative dispute resolution".

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subchapter III of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 570a. Authorization of appropriations

"There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this subchapter."

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 570 the following:

"Sec. 570a. Authorization of appropriations"

(e) STUDY.—No later than 180 days after the enactment of this Act, the Director of the Office of Management and Budget shall complete a study with recommendations on expediting the establishment of negotiated rulemaking committees, including eliminating any redundant administrative requirements related to filing a committee charter under section 9 of the Federal Advisory Committee Act and providing public notice of such committee under section 564 of title 5, United States Code.

COHEN AMENDMENT NO. 4046

Mr. LOTT (for Mr. COHEN) proposed an amendment to the bill S. 1224, supra; as follows:

At the end of the Committee amendment add the following:

SEC. 11. JURISDICTION OF THE UNITED STATES COURT OF FEDERAL CLAIMS: BID PROTESTS.

(a) BID PROTESTS.—

(1) TERMINATION OF JURISDICTION OF DISTRICT COURTS.—Section 1491 of title 28, United States Code, is amended—

(A) by redesignating subsection (b) as subsection (d);

(B) in subsection (a)—

(i) by striking out "(a)(1)" and inserting in lieu thereof "(a) CLAIMS AGAINST THE UNITED STATES.—";

(ii) in paragraph (2), by striking out "(2) To" and inserting in lieu thereof "(b) REMEDY AND RELIEF.—To"; and

(iii) by striking out paragraph (3); and

(C) by inserting after subsection (b), as designated by paragraph (1)(B)(ii), the following new subsection (c):

"(c) BID PROTESTS.—(1) The United States Court of Federal Claims has jurisdiction to render judgment on an action by an interested party objecting to a solicitation by a Federal agency for bids or proposals for a proposed contract or to a proposed award or the award of a contract. The court has jurisdiction to entertain such an action without regard to whether suit is instituted before or after the contract is awarded.

"(2) To afford relief in such an action, the court may award any relief that the court considers proper, including declaratory and injunctive relief.

"(3) In exercising jurisdiction under this subsection, the court shall give due regard to the interests of national defense and national security and the need for expeditious resolution of the action.